

REMARKS

Claims 17-21, 23-26 and 28-32 remain pending in the instant application. The specification is amended to replace the marred last paragraph on page 1 with a clean version. Figures 2 and 3 are amended to correct margins. No new matter is added to the specification or the drawings with these amendments. Where used herein, numbered headings reflect the numbering used by the Examiner in the Office Action dated April 23, 2004.

1. Specification

In the pending Office Action, the Examiner objected to the Specification due to an ink blot in the penultimate line of the last paragraph on page 1, on the word "technical". In accordance with the Examiner's requirement, Applicant has amended the specification to clarify that Applicants indeed intend to use the word "technical".

2-3. Double Patenting Rejection

Claims 31 and 32 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting, as being unpatentable over claims 1-5, 9-14, 16, 31 and 32 of copending Application No. 10/081,409. The Examiner has stated that a timely filed Terminal Disclaimer in compliance with 37 C.F.R. § 1.321(c) may be used to overcome the provisional rejection, provided Application No. 10/081,409 is shown to be commonly owned with the instant application.

On April 19 2004, Applicant's attorney conducted a telephone interview with the Examiner, who required the submission of a new Terminal Disclaimer in the instant application. Pursuant the Examiner's requirement, Applicants submitted a new Terminal Disclaimer and authorization to charge the required \$110 fee, via facsimile, on April 22, 2004. It is believed that the new Terminal Disclaimer and the present Office Action crossed in the mail. For the Examiner's convenience, Applicants submit herewith a copy of the terminal disclaimer, along with copies of the fee transmittal authorizing the necessary charges and the facsimile transmission report indicating successful delivery of the Terminal Disclaimer and fee transmittal.

It is believed that the Terminal Disclaimer submitted April 22, 2004 (and herewith) overcomes the Examiner's provisional obviousness-type double patenting rejection of claims 31

and 32. Applicants therefore respectfully request withdrawal of the rejection, and allowance of claims 31 and 32.

4. Allowable subject matter

Applicants thank the Examiner for indicating the of allowance of claims 17-21, 23-26 and 28-30.

5. Response to Arguments

As detailed herein above, Applicants believe that the Terminal Disclaimer submitted herewith obviates the Examiner's provisional rejection of claims 31 and 32.

CONCLUSION

It is believed that the amendments and remarks presented herein, together with the Terminal Disclaimer filed April 22, 2004 (copy submitted herewith), fully address each of the Examiner's objections and rejections presented in the Office Action of 23 April 2004. Applicants therefore respectfully solicit a Notice of Allowance.

Applicants believe no fees are currently due; however, should any fee be deemed necessary in connection with this Amendment and Response, the Commissioner is authorized to charge Deposit Account 12-0600. Should any issues remain outstanding, the Examiner is encouraged to telephone the undersigned attorney.

Respectfully submitted,

LATHROP & GAGE L.C.

A handwritten signature in black ink, appearing to read 'D. Cleveland, Jr.', is written over a horizontal line.

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